Chandka

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

SUMMARY SUIT NO. 2187 OF 2005

M/s. Nu Lith Graphics Pvt. Ltd. ..Plaintiffs

versus

M/s. Vam Trading Company ..Defendants

Mrs. A. S. Malvankar for the Plaintiffs.

None for the Defendants.

CORAM : S. A. BOBDE, J.
DATE : 28TH NOVEMBER, 2007.

P.C.

1. This is a suit for recovery of the sum of Rs.1,39,551/-, which is inclusive of the principal amount of Rs.61,599/- with interest, according to the Particulars of Claim at Exhibit 'C' with further interest on Rs.1,39,551/- at the rate of 18% per annum from the date of the suit till payment / realisation.

2. The suit is for recovery of unpaid price of goods sold and delivered from time to time to the defendants. The plaintiffs have raised invoices for

the goods sold and delivered by them to the defendants. The said Invoices are collectively marked as Exhibit "P-A". The defendants were to make payment within 15 days from the date of the invoices. The plaintiffs demanded the unpaid amount by a notice dated 3.5.2004. Apparently, there was no response to the notice. Defendants made certain payments leaving a balance of Rs.61,599/- plus Rs.110/- being the cheque return charges. Defendants have failed and neglected to make a payment of Rs.61,709/-.

3. There is no defence to the suit. Having regard to the plaint averments and the documents filed on record by the plaintiffs, the suit is hereby decreed in terms of prayer clause with interest at 14%. Refund of court fees as per the Rules. Decree be drawn accordingly.

(S. A. BOBDE, J.)